

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AFT LOCAL 2121, et al.,
Plaintiffs,

v.

ACCREDITING COMMISSION FOR
COMMUNITY AND JUNIOR COLLEGES,
et al.,
Defendants.

Case No. 16-cv-03411-HSG

ORDER

Re: Dkt. Nos. 77, 81

The Court held a case management conference on December 13, 2016. Dkt. No. 76. At the case management conference, the Court directed the parties to file supplemental briefing regarding Plaintiffs' requests that the Court (1) order Defendant Accrediting Commission for Community and Junior Colleges ("ACCJC") to delay implementation of any decision to terminate City College of San Francisco's accreditation pending a hearing on a temporary restraining order ("TRO") or (2) order ACCJC to inform Plaintiffs of its accreditation decision on a specific date. *Id.* The parties have submitted their supplemental briefing. Dkt. Nos. 77, 81.


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Having reviewed the parties' supplemental briefing, the Court DENIES Plaintiffs' requests. The Court finds persuasive ACCJC's explanation that Plaintiffs' requested forms of relief are impracticable, inconsistent with an orderly process for making and documenting ACCJC's accreditation decisions, and unsupported by legal authority. The Court will hold ACCJC to its representation that if it decides to terminate City College of San Francisco's accreditation, it will inform the public, including Plaintiffs, of its decision within 24 hours of notifying the institution. Dkt. No. 81 at 3. Additionally, the Court is unaware of any law that would prevent City College from informing Plaintiffs immediately once it is notified of the

1 termination of its accreditation status, if it so chooses. Although the timing of the briefing on any
2 TRO sought may be taxing on the parties and the Court, the Court declines to issue an actual or *de*
3 *facto* injunction that interferes with ACCJC's normal business practices at this stage in the
4 litigation.

5 **IT IS SO ORDERED.**

6 Dated: 1/11/2017

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8 HAYWOOD S. GILLIAM, JR.
9 United States District Judge
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